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**ENTERED
Office of Proceedings**

JUL 31 2008

**Part of
Public Record**



Mack H. Shumate, Jr
Senior General Attorney, Law Department

July 31, 2008

Via E-Filing and UPS Next Day Air

CORRECTED

Ms Anne K. Quinlan, Secretary
Surface Transportation Board
Section of Environmental Analysis
395 E Street S.W., Room 1149
Washington, DC 20024

**RE: Docket No. AB-33 (Sub-No. 258X), Union Pacific Railroad Company -
Abandonment Exemption - In Shelby County, Tennessee (Memphis
Subdivision)**

Dear Ms. Quinlan:

Pursuant to the Board's exemption procedures for abandonment of rail lines with no local business for at least two years (49 C F R §1152.50), I am hereby e-filing the **Verified Notice of Exemption, including a Certificate of Service and Publication**, the original of which are enclosed and sent to you via UPS Next Day Air for your reference.

Please file the Notice of Exemption in Docket No AB-33 (Sub-No. 258X).
Enclosed is a credit authorization voucher in the amount of \$3,700 00 for the filing fee

Sincerely yours,

FILED

JUL 31 2008

**SURFACE
TRANSPORTATION BOARD**

FEE RECEIVED

JUL 31 2008

**SURFACE
TRANSPORTATION BOARD**

Enclosure

Before the
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 258X)

**UNION PACIFIC RAILROAD COMPANY
-- NOTICE OF EXEMPTION --
IN SHELBY COUNTY, TENNESSEE
(MEMPHIS SUBDIVISION)**

NOTICE OF EXEMPTION

UNION PACIFIC RAILROAD COMPANY

**Mack H. Shumate, Jr., Senior General Attorney
101 North Wacker Drive, Room 1920
Chicago, Illinois 60606
Tel. 312-777-2055
Fax. 312-777-2065**

Dated: July 31, 2008

Filed: July 31, 2008

Before the
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 258X)

UNION PACIFIC RAILROAD COMPANY
– NOTICE OF EXEMPTION –
IN SHELBY COUNTY, TENNESSEE
(MEMPHIS SUBDIVISION)

NOTICE OF EXEMPTION

Union Pacific Railroad Company ("UP") submits this verified Notice of Exemption pursuant to 49 C.F.R. §1152, Subpart F – Exempt Abandonments and Discontinuances of Service and Trackage Rights, for an exempt abandonment of the Memphis Subdivision from Milepost 387 0 to Milepost 389 61, a distance of 2.61 miles in Shelby County, Tennessee (the "Line").

Proposed Consummation Date: 49 C.F.R. §1152.50 (d)(2)

The abandonment is proposed to be consummated on or after September 19, 2008 (at least 50 days after filing the Notice of Exemption)

Certification: 49 C.F.R. §1152.50(b)

UP certifies that no local traffic has moved over the Line for at least two years; and that no formal complaint filed by a user of rail service on the Line (or filed by a state or local governmental entity acting on behalf of such user) regarding cessation of service over the Line either is pending with this Board or any U S District Court or has

been decided in favor of the complainant within the two-year period. UP further certifies that there is no overhead traffic on the Line

Additional Information Required: 49 C.F.R. §1152.22(a)(1) (4), (7)-(8) and (e)(4)

(a) General.

(a)(1) The railroads' exact name is Union Pacific Railroad Company.

(a)(2) UP is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105

(a)(3) UP intends to abandon the Line from Milepost 387 0 to Milepost 389 61, a distance of 2 61 miles. The Line is located in Shelby County, Tennessee

(a)(4) A map showing the location of the Line in conjunction with other rail lines, highways and major roads in the area is attached hereto as **Exhibit A** and hereby made a part hereof.

(a)(7) The representative to whom correspondence regarding this abandonment should be sent is:

Mack H Shumate, Jr., Senior General Attorney
Union Pacific Railroad Company
101 North Wacker Drive, Room 1920
Chicago, Illinois 60606
Tel: 312-777-2055
Fax: 312-777-2065

(a)(8) ZIP Code The Line traverses U. S. Postal Service Zip Codes 38107 and 38108.

(e)(4) Rural and Community Impact. The Line was constructed at an unknown date by the Union Railway of Memphis and acquired by Missouri Pacific Railroad in 1966 The Line is laid with 90-pound jointed rail.

The Line is owned by UP and does not consist of any reversionary property.

The abandonment of the Line will have no adverse effect on shippers. There has been no local business for at least two years. No complaint regarding cessation of service has been filed, is pending, or has been ruled upon in favor of complainant during that period. There is no new industry location foreseen that could produce rail traffic sufficient to justify rehabilitation of the Line and cover ongoing operational expense. There is no overhead traffic. After abandonment, UP will continue to provide rail service on either end of the Line either through direct service or through existing joint facility operating agreements with other railroads. Amtrak, BNSF, CN, CSXT, and NS also serve the Memphis area.

UP does not believe the property is suitable for other public purposes, including roads or highways, other forms of mass transportation, conservation, energy production or transmission or recreation. The area is located in North Memphis, which is an older established urban area with varying property usage. North of the right-of-way, the area is primarily a commercial and/or industrial use area. South of the right-of-way is an older residential area. The highest and best use of this property would be to dispose of UP interests through adjacent property owners. Based on information in UP's possession, the Line does not contain federally granted right-of-way. Any documentation in UP's possession will be made available to those requesting it.

Labor Protection

The interests of railroad employees will be protected by the conditions discussed in Oregon Short Line Railroad Co. -- Abandonment -- Goshen, 360 ICC 91 (1979).

Certifications

Attached hereto as **Exhibit B** and hereby made a part hereof is a Certificate of Service and Publication pursuant to the notice requirements of 49 C F R.

§§1152.50(d)(1), 1105.11 and 1105.12.

Environmental and Historic Report

A copy of the Transmittal Letter of UP's Combined Environmental and Historic Report containing the information required by 49 C.F.R. §§1105.7 (e) and 1105.8, and delivered in accordance with 49 C.F.R. §1105.11, is attached hereto as **Exhibit C** and hereby made a part hereof. The original and ten (10) copies were sent to Ms. Victoria Rutson, Section of Environmental Analysis (SEA), on June 18, 2008. There are no bridge structures that are fifty (50) years old or older. At this time, UP knows of no historic sites or structures or archeological resources on the Line or in the project area. UP believes that there is nothing in the scope of the project that merits historical comment and that any archeological sites within the scope of the right-of-way would have previously been disturbed during the construction and maintenance of the Line.


In addition to the various governmental responses received by UP regarding this Notice of Exemption that were included with the aforementioned Combined Environmental and Historic Report, two additional responses have been received. First, by letter dated July 3, 2008, attached hereto as **Exhibit D** and hereby made a part hereof, the Tennessee Department of Environment and Conservation has determined based on the location information furnished by UP that the Line does not currently appear on the list of Tennessee's promulgated sites, UOAP list, DCERP list, DSMOA

list nor the NPL. Second, by letter dated June 24, 2008, attached hereto as **Exhibit E** and hereby made a part hereof, the Tennessee Historical Commission requested additional information in order to complete the requirements of Section 106 of the National Historic Preservation Act. Subsequent communications between representatives of UP and the State Historic Preservation Offices have concluded that there are no historic structures on the Line. Upon receipt of written confirmation of this determination from the Tennessee Historical Commission, UP will supplement the record of this Notice of Exemption by filing with the Board the written confirmation from the Tennessee Historical Commission. UP expects to receive said written confirmation in the very near future.

Dated this 31st day of July, 2008.

Respectfully submitted,

UNION PACIFIC RAILROAD COMPANY



Mack H. Shumate, Jr.
Senior General Attorney
101 North Wacker Drive, Room 1920
Chicago, Illinois 60606
Tel: 312-777-2055
Fax: 312-777-2065

VERIFICATION

STATE OF NEBRASKA)

COUNTY OF DOUGLAS)

) ss

I, RAYMOND E ALLAMONG, JR , Senior Manager Rail Line Planning of Union Pacific Railroad Company, declare under penalty of perjury, under the laws of the United States of America, that I have read the foregoing document and that its assertions are true and correct to the best of my knowledge, information and belief I further declare that I am qualified and authorized to submit this verification on behalf of Union Pacific Railroad Company I know that wilful misstatements or omissions of material facts constitute Federal criminal violations punishable under 18 U S C 1001 by imprisonment up to five years and fines up to \$10,000 for each offense Additionally, I know that these misstatements are punishable as perjury under 18 U S C 1621, which provides for fines up to \$2,000 or imprisonment up to five years for each offense

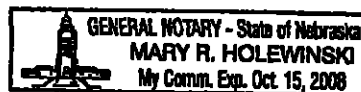
Dated at Omaha, Nebraska, this 29th day of July, 2008


Raymond E Allamong, Jr

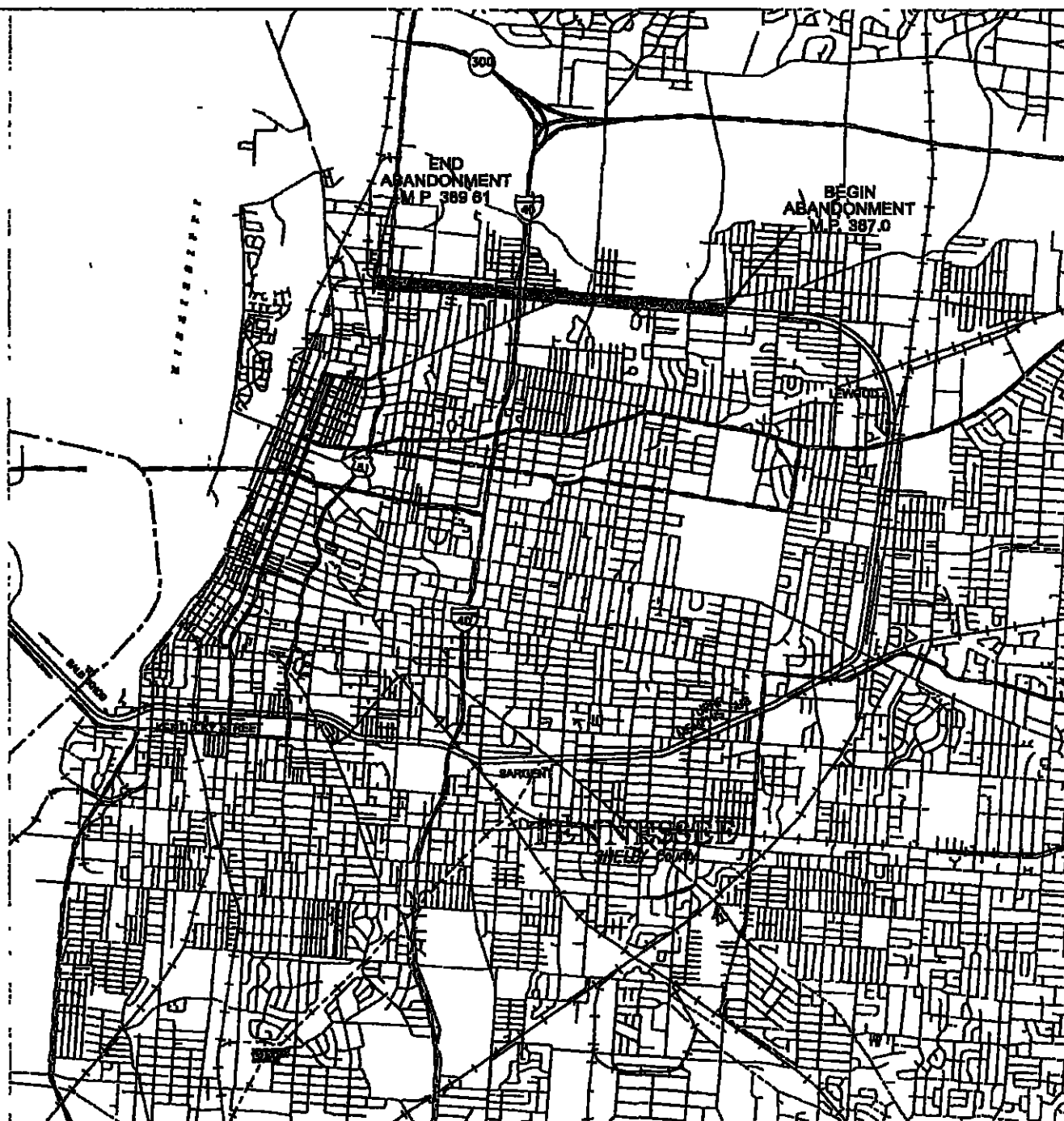
SUBSCRIBED AND SWORN TO
before me this 29th day of
July, 2008


Notary Public

My Commission expires October 15, 2008


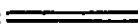






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NOTE THERE ARE NO 50+ YEAR OLD STRUCTURES
IN THE ABANDONMENT SEGMENT

LEGEND

-  UPRR LINES TO BE ABANDONED
-  OTHER UPRR LINES
-  OTHER RAILROADS
-  RAILROADS (abandoned)
-  PRINCIPAL HIGHWAYS
-  OTHER ROADS

MEMPHIS SUBDIVISION

MP 387.0 TO MP 389.61

TOTAL OF 2.61 MILES

2.61 MILES IN SHELBY COUNTY

UNION PACIFIC RAILROAD CO
MEMPHIS SUBDIVISION
TENNESSEE

INCLUDING 50+YEAR OLD STRUCTURES

SCALE  MILES

FILE 0:\abandonments\ab33_258_Memphis_v8.dgn

DATE 10-Aug 07 13 18

AB-33(Sub-No. 258X)

**UNION PACIFIC RAILROAD COMPANY
--ABANDONMENT EXEMPTION--
IN SHELBY COUNTY, TENNESSEE
(MEMPHIS SUBDIVISION)**

CERTIFICATE OF SERVICE AND PUBLICATION

49 C.F.R. § 1152.50(d)(1) - Notice

The undersigned certifies that on July 2, 2008 (at least 10 days before a Notice of Exemption is filed), written notice was given of Union Pacific's intent to use the exemption notice procedure to abandon the Memphis Subdivision from M P. 387.0 to M P. 389.61, a distance of 2.61 miles in Memphis, Shelby County, Tennessee; STB Docket No. Docket No. AB-33 (Sub-No. 258X)

Written notice (a copy of which is attached) was served on the following

Midwest Regional Office
National Park Service – SE Region
100 Alabama Street
Atlanta, GA 30303

Robert Peck
Department of Transportation
Office of Freight & Rail
Suite 1800 James K. Polk Bldg.
Nashville, TN 37243

U.S. Department of Agriculture
Chief of the Forest Service
4th Floor, N.W., Auditors Building
14th St. & Independence Ave., SW
Washington, DC 20250

Department of Defense
Military Traffic Management Command
Transportation Engr. Agency
Railroads for National Defense Program
720 Thimble Shoals Blvd., Suite 130
Newport News, VA 23606-2574

49 C.F.R. § 1105.11—Environmental and Historic Report

The undersigned certifies that on June 19, 2008 (at least 20 days before a Notice of Exemption is filed), a Combined Environmental and Historic Report pursuant to 49 C.F.R. §§ 1105.7 and 1105.8 was served in Docket No. AB-33 (Sub-No. 265X) for abandonment and discontinuance of the Santa Monica Industrial Lead in Los Angeles County, California on the following.

- (1) State Clearinghouse (or alternate)
- (2) State Environmental Protection Agency

- (3) State Coastal Zone Management Agency
- (4) Head of each County
- (5) U S Environmental Protection Agency (regional office)
- (6) U.S. Fish and Wildlife Service
- (7) U.S. Army Corps of Engineers
- (8) National Park Service
- (9) U S Natural Resources Conservation Service
- (10) The National Geodetic Survey
- (11) State Historic Preservation Office
- (12) Other Agencies Consulted (as listed)

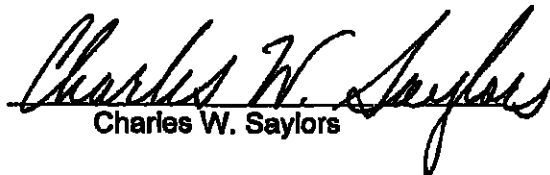
(The Certificate of Service attached to the Combined Environmental and Historic Report lists the names and addresses of the federal, state and local agencies served)

49 C.F.R. § 1105.12 - Newspaper Notice

The undersigned further certifies that a "Notice of Intent to Abandon" was published in the form prescribed by the Board for a Notice of Exemption The Notice was published one time in a major newspaper in the county in which the Line is located as follows:

<u>County</u>	<u>Newspaper</u>	<u>Date</u>
Shelby	<i>Shelby County Community Newspapers</i>	July 31, 2008

Dated this 31st day of July, 2008.


Charles W. Saylor



Mack H Shumate, Jr.
Senior General Attorney, Law Department

FILE COPY

June 18, 2008

VIA UPS OVERNIGHT

Surface Transportation Board
Section of Environmental Analysis
395 E Street, Room 1149
Washington, DC 20024

Attention: Victoria Rutson

**RE: Docket No. AB-33 (Sub-No. 258X), Union Pacific Railroad Company -
Abandonment Exemption - In Shelby County, Tennessee (Memphis
Subdivision)**

Dear Ms. Rutson:

Enclosed for filing in the above-referenced docket are the original and ten (10) copies of a Combined Environmental and Historic Report prepared pursuant to 49 C.F.R. §1105.7 and §1105.8, with a Certificate of Service, and a transmittal letter pursuant to 49 C.F.R. §1105.11

Union Pacific anticipates filing a Notice of Exemption in this matter on or after July 9, 2008

Sincerely yours,

A handwritten signature in black ink, appearing to be "M. Shumate", written over the "Sincerely yours," text.

Enclosures

O:\Abandonments\33-258X\EHR-Ltr Doc

UPS Next Day Air
UPS Worldwide Express

Shipping Document

See instructions on back. Visit UPS.com or call 1-800-UPSI-UPS (800-743-5877) for additional information and UPS Tariff/Terms and Conditions.

TRACKING NUMBER **1Z 6J2 954 22 1008 0515**

SHIPMENT FROM

NAME **MACK SHUMATE** TELEPHONE **312-777-2055**

COMPANY **UNION PACIFIC RAILROAD CO**

STREET ADDRESS **101 N WACKER DRIVE SUITE 1920**

CITY AND STATE **CHICAGO IL 60606-1784**

REFERENCE NUMBER **612954**

SHIPPER'S COPY

3 WEIGHT

4 DIMENSIONAL WEIGHT (if Applicable)

5 LARGE PACKAGE (if Applicable)

6 SHIPPER RELEASE

7 TYPE OF SERVICE

8 FOR WORLDWIDE EXPRESS SUPPLEMENTARY

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10 C.O.D.

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12 TOTAL CHARGES

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10 SHIPPERS COMPANY NAME

11 STREET ADDRESS

12 CITY AND STATE

13 ZIP CODE

14 SHIPPERS SIGNATURE

15 DATE OF SHIPMENT

16 SHIPPER'S COPY





**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
MEMPHIS ENVIRONMENTAL FIELD OFFICE
SUITE E-845, PERIMETER PARK
2510 MT. MORIAH ROAD
MEMPHIS, TENNESSEE 38115-1520
PHONE (901) 368-7838 STATEWIDE 1-888-891-8332 FAX (901) 368-7878**

July 3, 2008

Mr. Charles Saylor
Union Pacific Railroad
1400 Douglas St , Mail Stop 1580
Omaha, NE 68179

RE Union Pacific Railroad Co
Abandonment Segment
M.P. 387.0 to 389.61
Memphis, TN

Dear Mr Saylor:

Pursuant to Tennessee Code Annotated (TCA) Section 68-212-206, a list of sites that are eligible for investigation, identification, containment, and/or cleanup of hazardous substances is promulgated. This list is revised periodically to reflect new or changed information, including additions and deletions. This promulgated list of inactive hazardous substance sites and site files are public record and are open for your inspection. The promulgated list refers only to the list of inactive hazardous substance sites found in Chapter 1200-1-13-.13 of the Rules of the Tennessee Department of Environment and Conservation (TDEC), Division of Remediation (DOR) (formerly the Division of Superfund).

In addition to the promulgated list, the Tennessee General Assembly has enacted laws establishing two programs overseen by TDEC DOR. These programs are the Voluntary Oversight and Assistance Program (VOAP), as established by amendment to Part 2 of the Tennessee Hazardous Waste Management Act and codified in TCA Section 68-212-224, and the Dry Cleaner Environmental Response Program (DCERP), as established by TCA Section 68-217-111. The VOAP allows parties to address Brownfield's projects that may be impacted by real or perceived contamination with DOR oversight. DCERP provides funding and oversight for the investigation and remediation of sites contaminated with solvents from dry cleaning operations.

Other sites exist that require joint oversight between DOR and a Federal agency. Defense State Memorandum of Agreement (DSMOA) sites and National Priorities List (NPL) sites currently proceed with State oversight that facilitates a Federal lead agency, such as the United States (US) Environmental Protection Agency or an assigned branch of the US Military.

When the EPA serves as the lead agency for sites that are not on the NPL list, the State also participates in oversight activities.

Information regarding sites involved in the manufacture, storage, and/or use of hazardous materials is not included on any of these lists. In addition, treatment, storage, and/or disposal facilities and hazardous waste generator sites are not included on these lists. Further information regarding sites that are not overseen by TDEC DOR may be gathered from the appropriate State regulatory agency or from the US EPA's Envirofacts Data Warehouse and Applications web site. The address for this site is <http://www.epa.gov/enviro>.

Based upon the information you furnished, the above referenced property does not currently appear on the list of Tennessee's promulgated sites, VOAP list, DCERP list, DSMOA list, or the NPL. There are four Promulgated sites and three VOAP list sites within approximately one mile of the above referenced property. These sites are as follows:

- | | |
|--------------------------------------|--|
| • Bellevue Avenue Landfill (79-517) | 1370 Levee Road
Memphis, TN 38107 |
| • Cypress Creek (79-518) | 1100 N Evergreen- 1250 Levee
Memphis, TN 38107 |
| • Firestone Tire and Rubber (79-520) | 900 Firestone Blvd
Memphis, TN 38107 |
| • Old-Osmose Chemical (79-758) | 1172 Thomas St
Memphis, TN 38107 |
| • New Chicago (00-014) | 921 Firestone & 1025 Morehead
Memphis, TN 38107 |
| • NEL-2 (79-667) | 1259 N. McLean Blvd.
Memphis, TN 38108 |
| • Sharvania Oil & Grease (79-690) | 1185 Tully St.
Memphis, TN 38107 |

Although DOR routinely updates our database of current active Division of Remediation sites, we do not have knowledge of all hazardous material activity within the Shelby, Tipton, and Fayette County area (ex illegal dumping activities)

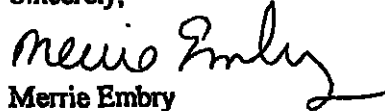
A map of the area is enclosed. The map presents the American Society of Testing and Materials (ASTM) suggested one-mile radius search for remediation sites and captures current active DOR sites within the search radius of the subject property referenced above.

Various contaminants are associated with these sites and information regarding contaminants at each site is best obtained through file review. The proximity of the site to the project may

Mr Charles Saylor
July 3, 2008
Page 3 of 3

be useful for prioritization of file review Please note, routine copies from our files are charged at the rate of 10 cents per page Non-routine copies are charged at the rate of 40 cents per page There may be additional charges to recover the cost for odd size, or otherwise difficult to handle copies. All charges are payable in advance by exact cash or check only. Should you have additional questions or desire to examine our files, please contact this office at (901) 368-7939

Sincerely,



Merrie Embry
Project Manager

Enclosures

cc TDEC DOR MFO

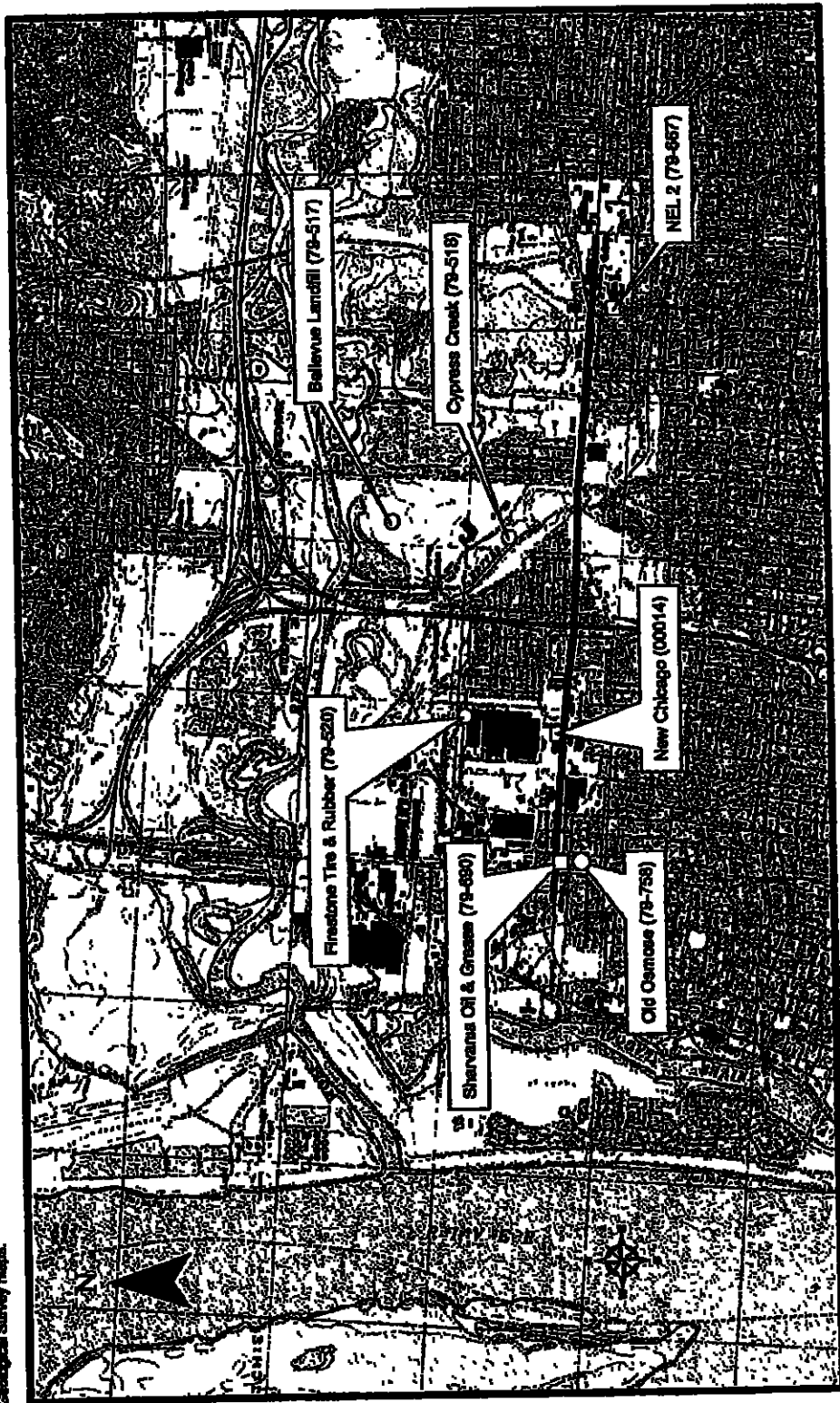
**Tennessee Department of Environment and Conservation (TDEC)
Division of Remediation (DoR)
Memphis Environmental Field Office (MEFO)**

**Union Pacific RR Co.
Abandonment Segment
M.P. 387.0 to 389.61
Memphis, TN**

Legend	
<input type="checkbox"/>	VOAP
★	EPA
△	DSMOA
○	DCERP
○	State
○	Promulgated

Prepared By: Marie Embry
Date: July 1, 2008

"The information on this map is subject to revision without notice and is not valid for resale. Information was taken from United States Geological Survey maps."



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Miles

**State of Tennessee
Department of Environment and Conservation
Division of Remediation**

*State Promulgated, Voluntary Oversight and Assistance Program, Defense State Memorandum of Agreement, Dry
Cleaner Environmental Response Program, and Environmental Protection Agency Lead Sites
Environmental Field Office at Memphis*

State Promulgated Sites:

<u>County</u>	<u>State ID #</u>	<u>Site Name</u>	<u>Site Address</u>
<i>Fayette</i>	<i>24-501</i>	<i>Ross Metals</i>	<i>100 North Railroad Street, Rossville, TN 38066</i>
<i>Fayette</i>	<i>24-503</i>	<i>Galloway Pits</i>	<i>Off Poplar Springs Loop, Gallaway, TN</i>
<i>Fayette</i>	<i>24-508</i>	<i>Chemnet Co</i>	<i>20940 Highway 57, Moscow, TN 38057</i>
<i>Shelby</i>	<i>79-503</i>	<i>Arlington Blending</i>	<i>12121 US Highway 70, Arlington, TN 38002</i>
<i>Shelby</i>	<i>79-517</i>	<i>Bellevue Avenue Landfill</i>	<i>1370 Levee Road, Memphis, TN 38107</i>
<i>Shelby</i>	<i>79-518</i>	<i>Cypress Creek</i>	<i>1100 N Evergreen St. - 1250 Levee Road, Memphis, TN 38107</i>
<i>Shelby</i>	<i>79-519</i>	<i>Tulane Road</i>	<i>Behind 3299 Tulane Road, Memphis, TN 38116</i>
<i>Shelby</i>	<i>79-520</i>	<i>Firestone Tire and Rubber</i>	<i>900 Firestone Boulevard, Memphis, TN 38107</i>
<i>Shelby</i>	<i>79-522</i>	<i>Chromasco</i>	<i>3328 Fite Road, Millington, TN 38053</i>
<i>Shelby</i>	<i>79-525</i>	<i>International Harvester</i>	<i>450 Klink Avenue, Memphis, TN 38127</i>
<i>Shelby</i>	<i>79-536</i>	<i>W R. Grace & Co.</i>	<i>5600 Old Millington Road, Millington, TN 38053</i>
<i>Shelby</i>	<i>79-549</i>	<i>Chickasaw Ordnance Works</i>	<i>Shake Rag Road @ Russell Bond Road, Millington, TN 38053</i>
<i>Shelby</i>	<i>79-552</i>	<i>Carrier Corporation</i>	<i>97 Byhalla Road South, Collierville, TN 38017</i>
<i>Shelby</i>	<i>79-561</i>	<i>Nilok Chemical Company</i>	<i>5030 Old Millington Road, Memphis, TN 38127</i>
<i>Shelby</i>	<i>79-569</i>	<i>Chapman Chemical Co.</i>	<i>384 Brooks Road, Memphis, TN 38109</i>
<i>Shelby</i>	<i>79-582</i>	<i>Diesel ReCon Co.</i>	<i>2680 Pershing Avenue, Memphis, TN 38112</i>
<i>Shelby</i>	<i>79-598</i>	<i>North Hollywood Dump</i>	<i>1800 North Hollywood Street, Memphis, TN 38108</i>
<i>Shelby</i>	<i>79-604</i>	<i>Memphis Public Works/Jackson Pit</i>	<i>2900-3100 Jackson Pit Road, Memphis, TN 38118</i>
<i>Shelby</i>	<i>79-676</i>	<i>Snalley Piper</i>	<i>719 Piper Street, Collierville, TN 38017</i>
<i>Shelby</i>	<i>79-739</i>	<i>East Holmes Road</i>	<i>5791 East Holmes Road, Memphis, TN 38118</i>
<i>Shelby</i>	<i>79-742</i>	<i>Pulvair Corp.</i>	<i>4599 Big Creek Church Rd, Millington, TN 38053</i>
<i>Shelby</i>	<i>79-758</i>	<i>Old Osmose Chemical</i>	<i>1172 Thomas Street, Memphis, TN 38107</i>
<i>Shelby</i>	<i>79-781</i>	<i>John Little/Drum</i>	<i>564 South Main, Memphis, TN 38103</i>
<i>Shelby</i>	<i>79-798</i>	<i>61 Industrial Park Site</i>	<i>5607 South Third Street, Memphis, TN 38109</i>
<i>Shelby</i>	<i>79-799</i>	<i>Tennessee Air National Guard</i>	<i>2815 Democrat Road, Memphis, TN 38118</i>
<i>Shelby</i>	<i>79-800</i>	<i>Creotox Chemical Company</i>	<i>2670 Broad Avenue, Memphis, TN 38112</i>
<i>Shelby</i>	<i>79-805</i>	<i>Fiberfine of Memphis</i>	<i>1030 Mitchell Road, Memphis, TN 38109</i>
<i>Shelby</i>	<i>79-843</i>	<i>Warford Place</i>	<i>2885 Warford Place, Memphis, TN 38108</i>

Voluntary Oversight and Assistance Program (VOAP) Sites:

<u>County</u>	<u>State ID#</u>	<u>Site Name</u>	<u>Site Address</u>
<i>Shelby</i>	<i>00-014</i>	<i>DeSoto Hardwood</i>	<i>977 Sledge Rd., Memphis, TN 38104</i>
<i>Shelby</i>	<i>00-014</i>	<i>New Chicago</i>	<i>921 Firestone Ave. and 1025 Morehead St., Memphis, TN 38107</i>
<i>Shelby</i>	<i>79-536</i>	<i>W.R. Grace & Co.</i>	<i>5600 Old Millington Road, Millington, TN 38053</i>
<i>Shelby</i>	<i>79-537</i>	<i>Western Tar Products</i>	<i>1471 Channel Avenue, Memphis, TN 38106</i>
<i>Shelby</i>	<i>79-561</i>	<i>Nilok Chemical Company</i>	<i>5030 Old Millington Road, Memphis, TN 38127</i>
<i>Shelby</i>	<i>79-667</i>	<i>NEL-2</i>	<i>1259 North McLean Blvd., Memphis, TN 38108</i>
<i>Shelby</i>	<i>79-674</i>	<i>Gotten-Raines</i>	<i>Shake Rag @ Russell Bond Rd, Memphis, TN 38053</i>
<i>Shelby</i>	<i>79-690</i>	<i>Sharvania Oil & Grease</i>	<i>1185 Tully Street, Memphis, TN 38107</i>
<i>Shelby</i>	<i>79-749</i>	<i>North Parkway/Auction</i>	<i>581 Auction; 540 North Parkway, and 572 North Parkway, Memphis, TN 38105</i>
<i>Shelby</i>	<i>79-786</i>	<i>Arcadian Memphis Plant (Nitrex)</i>	<i>5790 Old Millington Road, Millington, TN 38053</i>
<i>Shelby</i>	<i>79-789</i>	<i>Unocal</i>	<i>1237 Riverside Drive, Memphis, TN 38106</i>
<i>Shelby</i>	<i>79-794</i>	<i>Aviation Materials</i>	<i>Memphis International Airport, Memphis, TN 38118</i>
<i>Shelby</i>	<i>79-802</i>	<i>Aratex Services Incorporated</i>	<i>2860 Rudder Road, Memphis, TN 38118</i>

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Sites listed by more than one program have active orders
under each identified program*

Shelby	79-807	Ford/GE Riverside Ravine	1356 Riverside Drive, Memphis, TN 38109
Shelby	79-813	Commerce Center	3645, 3953, 3760, 3790, 3796, and 3822 Lamar Avenue, Memphis, TN 38118
Shelby	79-819	Wespac	2640 Rental Road, Memphis, TN 38118
Shelby	79-820	Springdale Creek Apartments	2510 Jackson Avenue, Memphis, TN 38108
Shelby	79-825	Lamar Terrace	1111 Lamar Avenue, Memphis, TN 38104
Shelby	79-827	Playhouse On the Square	2142 & 2158 Union Ave, Memphis, TN 38104
Shelby	79-828	Auto Parts and Salvage of Memphis	880 North Hollywood, Memphis, TN 38108
Shelby	79-832	Old Baptist Hospital/Old Memphis Furniture	1025 EH Crump Blvd., Memphis, TN 38104
Shelby	79-833	TW Jones	733 Somerville Rd, Memphis, TN 38104
Shelby	79-835	Abston Norfleet	601 Dudley and Intersection of Crump and East St., Memphis, TN 38104
	(formerly 00-014)		
Shelby	79-844	Two Bill Supply	285 Bishop GE Patterson Ave., Memphis, TN 38126
Shelby	79-846	Dixie Homes	916 Poplar Avenue, Memphis, TN 38105
Shelby	79-849	Woodward Street/Dorothy Place	Corner of Woodward Street and Dorothy Place, Memphis, TN 38104
Tipton	84-505	Rayovac Corporation	955 South Main Street, Covington, TN 38019

Defense State Memorandum of Agreement (DSMOA) Sites:

<u>County</u>	<u>State ID#</u>	<u>Site Name</u>	<u>Site Address</u>
Shelby	79-719	Naval Air Station - Memphis	Naval Support Activity Mid-South, Millington, TN 38054
Shelby	79-736	Defense Depot Memphis Tennessee	2169 Airways Boulevard, Memphis, TN 38114
Shelby	79-799	Air National Guard	2815 Democrat Road, Memphis, TN 38118

Dry Cleaner Environmental Response Program (DCERP) Sites:

<u>County</u>	<u>State ID#</u>	<u>Site Name</u>	<u>Site Address</u>
Shelby	79-001	Queen City Supply Company	3660 Air Park Street, Memphis, TN 38118
Shelby	79-100	Mercury Valet Service	1798 Madison Avenue, Memphis, TN 38104
Shelby	79-101	Cavalier Cleaners (Closed Site)	4904 Poplar Avenue, Memphis, TN 38117
Shelby	79-110	Spic-n-Span	581 Auction, Memphis, TN 38105
Shelby	79-136	Kraus Model Cleaners (Linden)	1023 Linden Avenue, Memphis, TN 38101
Shelby	79-137	Kraus Model Cleaners (Black)	5007 Black Road, Memphis, TN 38117
Shelby	79-140	Winwood Cleaners	4612 Winchester Road, Memphis, TN 38118
Shelby	79-158	High Point Laundry Cleaners	3668 Macon Road, Memphis, TN 38122
Shelby	79-175	Tiger Cleaners	970 Brooks Road, Memphis, TN 38116
Shelby	79-180	My Valet Cleaners	6717 East Shelby Drive, Memphis, TN 38141
Shelby	79-193	Crescent Cleaners	6685 Quince Road, Memphis, TN 38119
Shelby	79-196	Drye Cleaners (Closed Site)	1356 Union Avenue, Memphis, TN 38104
Shelby	79-198	Jetway Cleaners	5437 Navy Road, Millington, TN 38053
Shelby	79-199	U.S. \$1.79 Cleaners (Closed Site)	4514 Summer Avenue, Suite 1, Memphis, TN 38122
Shelby	79-201	Eastgate Cleaners (Closed Site)	828 Mt Moriah Road, Memphis, TN 38117
Shelby	79-206	Whitehaven Plaza One Hour	4106 Elvis Presley Boulevard, Memphis, TN 38116
Shelby	79-208	Norge Village Dry Cleaning	3980 Elvis Presley Boulevard, Memphis, TN 38116
Shelby	79-210	Summer Custom Cleaners	3380 Summer Avenue, Memphis, TN 38122
Shelby	79-212	Memphis City Schools	285 Court Avenue, Memphis, TN 38105
Shelby	79-217	Former Spic-n-Span	813-815 Poplar Avenue, Memphis, TN 38105
Shelby	79-219	Airport Cleaners	3460 Airways Blvd., Memphis, TN 38116
Shelby	79-220	Former General Cleaners	1208 Winchester Rd., Memphis, TN 38116
Shelby	79-221	Bunny/Progressive Cleaners	3548 South Mendenhall, Memphis, TN 38118
Shelby	79-222	Former Cottage Cleaners	2582-2584 Frayser Blvd., Memphis, TN 38127

EPA Lead Sites:

<u>County</u>	<u>State ID#</u>	<u>Site Name</u>	<u>Site Address</u>
Fayette	24-501	Ross Metals	100 North Railroad Street, Rossville, TN 38066
Shelby	79-503	Arlington Blending	12121 US Highway 70, Arlington, TN 38002
Shelby	79-514	National Fireworks	Cordova Industrial Park, 9400-9600 Macon Rd.,

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Shelby	79-545	Vertut Blending & Packaging	Memphis (Cordova), TN 38018
Shelby	79-546	Rexham	2100 Hernando, Memphis, TN 38106
Shelby	79-603	Old Estech	2000 Latham Street, Memphis, TN 38109
Shelby	79-607	Shelby County Penal Farm Landfill	2227 Deadrick Ave., Memphis, TN 38114
Shelby	79-676	Smalley Piper	6791 Walnut Grove Rd., Memphis, TN 38120
Shelby	79-713	Wabash Avenue	719 Piper Street, Collierville, TN 38017
Shelby	79-753	Illinois Central Gulf Johnston Yard	East Person and Hays, Memphis, TN 38114
Shelby	79-798	61 Industrial Park Site	2921 Horn Lake Road, Memphis, TN 38109
Shelby	79-810	American Heritage Shutters	5607 South Third Street, Memphis, TN 38109
Shelby	79-839	Cintas	2345 Frisco Avenue, Memphis, TN 38114
Tipton	84-506	Old Covington Dump	1635 South McLean Blvd., Memphis, TN 38114
			760 Bert Johnston Ave., Covington, TN 38019

State Sites (Not Currently on Promulgated List)

<u>County</u>	<u>State ID#</u>	<u>Site Name</u>	<u>Site Address</u>
Shelby	79-581	Jehl Cooperage	4 Virginia Ave., Memphis, TN 38106
Shelby	79-600	Brooks Road Dump	324 E Brooks Rd., Memphis, TN 38109
Shelby	79-829	Kotler	1313 Poplar Ave., Memphis, TN 38104
Shelby	79-831	Meagher Street Homes	Meagher Street between Jackson Avenue and Cypress Creek, Memphis, TN 38108

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 under each identified program.*



RECEIVED

JUN 27 2008

LAW DEPARTMENT
UNION PACIFIC RR CO

TENNESSEE HISTORICAL COMMISSION
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
2941 LEBANON ROAD
NASHVILLE, TN 37243-0442
(615) 532-1550

June 24, 2008

Exhibit E

Mr Mack H Shumate, Jr
Union Pacific Railroad Company
101 North Wacker Dr 1920
Chicago, Illinois, 60606

RE STB, DOCKER NO AB-33 (SUB-NO 258X), MEMPHIS, SHELBY COUNTY

Dear Mr Shumate

In response to your request, received on Friday, June 20, 2008, we have reviewed the documents you submitted regarding your proposed undertaking. Our review of and comment on your proposed undertaking are among the requirements of Section 106 of the National Historic Preservation Act. This Act requires federal agencies or applicant for federal assistance to consult with the appropriate State Historic Preservation Office before they carry out their proposed undertakings. The Advisory Council on Historic Preservation has codified procedures for carrying out Section 106 review in 36 CFR 800. You may wish to familiarize yourself with these procedures (Federal Register, December 12, 2000, pages 77698-77739) if you are unsure about the Section 106 process. You may also find additional information concerning the Section 106 process and the Tennessee SHPO's documentation requirements at <http://www.tennessee.gov/environment/hist/federal/sect106.shtml>

To complete our review of this project, we will need the following documents: 1) Numbered photographs of the project site, 2) Numbered photographs of the immediate vicinity of the project site, 3) Dates of construction, if known, of buildings on the site and/or within view of the project, and 4) A key map indicating the location of each photograph. Upon receipt of the additional information, we will complete our review of this undertaking expeditiously. Until this office has rendered a final comment on this project, you have not met your Section 106 obligation under federal law. Please inform this office if this project is not funded or canceled by the federal agency. Please direct questions and comments to Joe Garrison (615) 532-1550-103.

We appreciate your cooperation.

Sincerely,

E Patrick McIntyre, Jr
Executive Director and
State Historic Preservation Officer

EPM/jyg